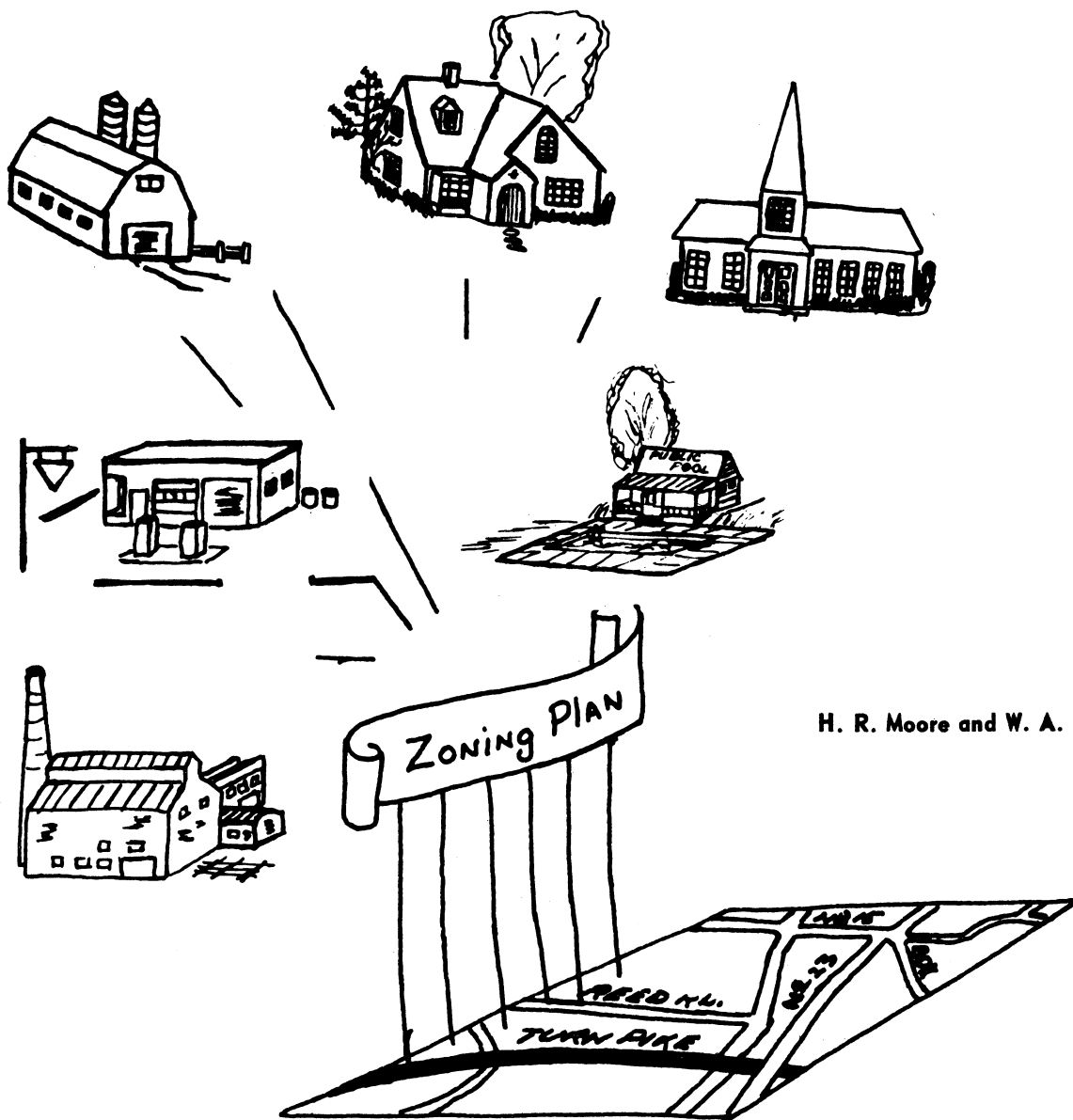


# Policies and Standards in Rural Zoning



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This research circular is in partial fulfillment of the assignment, State Project No. 327, OAES. This state project was accepted as a contributing study to regional research on "Agricultural Adjustments in a Developing Economy" (NCT-35, later NC-45). This text is subject to adaptation for regional research publication, if deemed appropriate, by the NCR-17 Committee which at present has responsibility for developing the regional cooperative study. The authors accept full responsibility for the ideas expressed in this publication.

## Policies and Standards in Rural Zoning

H. R. Moore and W. A. Wayt

Present indications are that numerous Ohio communities will be going through the process of developing and adopting rural zoning plans the next few years. Those communities which have adopted rural zoning find it desirable to make amendments from time to time to improve the original plans and to keep in step with changing conditions. These circumstances make it desirable to take stock of the accumulating experience with rural zoning.

This circular provides information on some of the important features of the rural zoning regulations which are being adopted in Ohio. Some 80 ordinances have been analyzed to carry out this primary objective.

The citizens and officials of any township or county have the responsibility of deciding: First, whether or not they want rural zoning and second, if they do want it, the kind of policies, rules and regulations which are desirable and acceptable. In searching for answers to these questions, it is customary to find out as much as possible about how other areas have handled particular problems. All or parts of one or several existing zoning ordinances are often used as models for drafting a new ordinance with some modifications to fit local conditions.

This publication is not intended to set up a model zoning text to replace the procedure described above. Its purposes are: (1) To set forth the important points which should be considered when developing any rural zoning ordinance, (2) To identify some important variations in existing rules and regulations, and (3) To indicate the more usual standards which are being adopted. Some ordinances contain features

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The authors wish to acknowledge the helpful suggestions and criticisms of Dr. John B. Mitchell, Extension Rural Sociologist, Ohio State University.

which might be questioned from the standpoint of practical merit, administrative soundness or legality. It is not proposed to pass judgment on such matters.

The title of this circular contains two key words -- "Policies" and "Standards." The word "Policy" is used to emphasize that the adoption of a zoning plan is, in effect, the adoption of a local land use policy and an indication of the kind of community people are planning for the future. This is expressed specifically by establishing various kinds of "Use" districts. Then to further carry out this policy, various "Standards" are adopted within use districts, certain uses encouraged, and others restricted or prohibited. The nature of these policies and standards can have a substantial influence on the course of community developments.

A first step in policy formation is whether or not to have zoning. Let us take a brief look at the location and number of Ohio townships that have voted on the question since Ohio's rural zoning law was enacted in 1947.

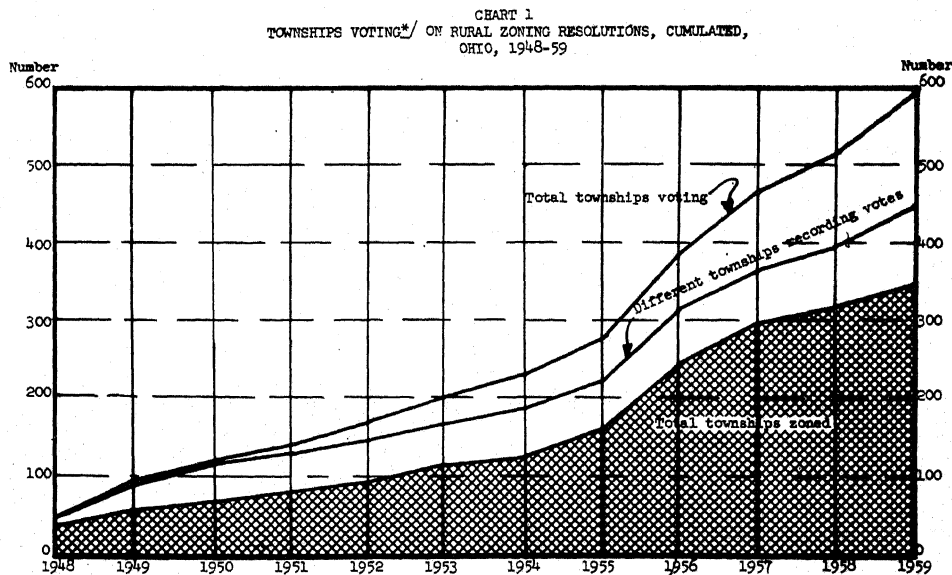
#### The Spread of Rural Zoning

Rural zoning plans were first submitted to Ohio voters in 11 counties at elections in 1948, the year following passage of the enabling act. These plans, applying to all or parts of 42 townships, were approved in 33 and rejected in 9 areas. Zoning resolutions have been submitted to rural voters in additional townships each year since 1948. In 1956, the most active year to date, a total of 111 areas voted, 88 approved and 23 rejected the proposed zoning plan.

A total of 449 different Ohio townships have voted on zoning, 1948 to 1959 inclusive. In some townships, the question has been voted on

two or more times, boosting the total to 598 instances. At the end of 1959, rural zoning was in effect in 344 townships or parts of townships scattered through 49 Ohio counties. One significant point is that only 2 townships that had ever adopted zoning were without some zoning at the close of 1959.

Chart I provides a perspective on the rate of adoption of rural zoning from year to year. In seven of the 49 counties with zoned area in 1959, rural zoning is under county administration, excepting a few townships which have chosen to zone under township administration. In the other 42 counties, rural zoning is administered entirely at the township level of government.



\*/ By the close of 1959, 449 different townships had voted in a total of 598 instances; and 344 townships were zoned. Some townships have adopted by small areas, some have voted more than once for a given area and in a few cases, zoning has been adopted, repealed and later readopted.

The spread of rural zoning in Ohio has followed an uneven but significant pattern. Most of the first townships to adopt zoning were in the more populous counties. In the last decade, rural zoning has gradually spread out from the main centers of population and industry to include many relatively rural communities. Several reasons exist for this fairly rapid spread of zoning.

The need for zoning has become more obvious and more extensive:

- (1) We have more nonfarm rural residences farther from town as commuting distances keep increasing.
- (2) We have more roadside businesses -- partly caused by increase in population, partly by highway improvements and increased traffic.
- (3) More industries are seeking the space of open country locations.
- (4) When some townships zone, the adjacent townships become the dumping ground for objectionable land uses and haphazard developments. The unzoned townships then adopt zoning in self-protection.
- (5) People are becoming better acquainted with rural zoning and how it may be used to promote and protect the best interests of the community.

Two other significant circumstances can be pointed out. First, in some populous townships, zoning has been delayed until the problems of conflicting land uses and the divided interests of the people make it difficult to agree on a zoning plan; this explains some of the unzoned areas (Chart II) appearing in the midst of extensive zoned areas in some parts of Ohio.

Second, the residents of some relatively rural townships have chosen to zone before nonfarm land uses have caused complications. In other words, some communities have adopted zoning at a very early stage of community change -- a more effective community policy than waiting until problems develop. Nonconforming uses established before zoning is adopted can continue indefinitely. Zoning is not retroactive.

#### The Sample

The 80 rural zoning ordinances reported in this publication were selected to give representation to the types of regulations being considered in different parts of Ohio. The sample contains examples from 33 of the 46 counties having zoned areas at the close of 1958. Fifty-two ordinances from 16 eastern counties represent about 19 percent of the zoned townships; 28 ordinances from 16 western counties represent about 18 percent of the zoned townships in that area.<sup>1/</sup> Dates of enactment of the ordinances studied were distributed over the period 1948-1958.

#### The Zoning Text and Map -- What to Look for

A zoning ordinance<sup>2/</sup> consists of a text and map, a text to state the details of regulation and administration and a map to identify the boundaries of use districts or zones. (In case the zoning plan provides

<sup>1/</sup> The counties and number of ordinances from each county were as follows: Eastern -- Ashland - 5, Ashtabula - 6, Erie - 5, Fairfield - 2, Geauga - 1, Huron - 5, Knox - 1, Licking - 1, Lorain - 3, Mahoning - 1, Medina - 2, Portage - 6, Richland - 6, Stark - 3, Summit - 2, and Trumbull - 3. Western -- Allen - 1, Butler - 1, Clark - 1, Crawford - 1, Darke - 1, Delaware - 2, Franklin - 1, Greene - 1, Henry - 2, Logan - 4, Marion - 2, Miami - 1, Montgomery - 1, Seneca - 1, Shelby - 2, Union - 3, and Warren - 3.

<sup>2/</sup> In this publication, the authors have followed the common practice of speaking of "ordinances" while recognizing that technically this term is restricted to the enactments of municipalities. The zoning "resolution," once adopted, operates as a local law, the same as an ordinance.

for only one district covering an entire township or county, a map may not be necessary.) In any case, additional maps should be prepared to provide background information for zoning. The most essential of these is a map to identify the use of all tracts of land before zoning.

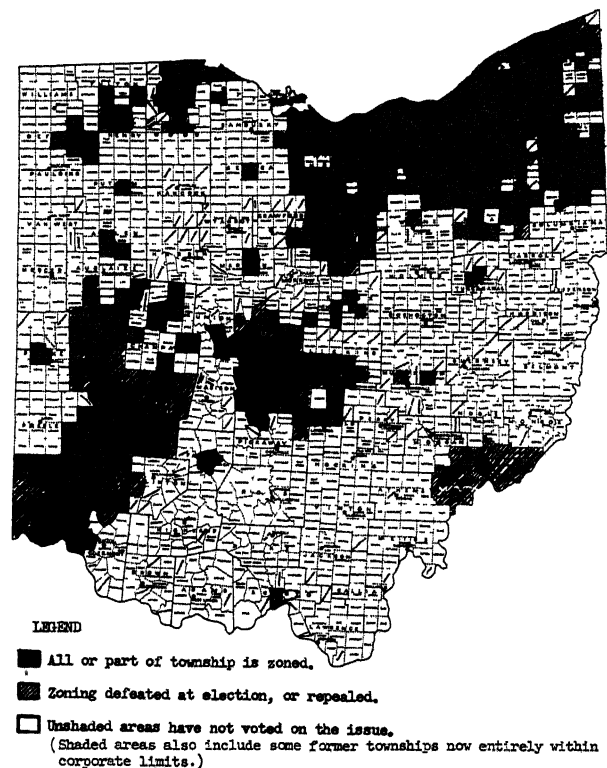
In practice, zoning texts vary in length from about 3 to 70 or more pages. Some zoning texts are short because they do not cover many details. Some that are well organized and carefully worded have been condensed to 10 to 25 pages. In some situations, the text must be longer because complicated conditions may require more kinds of "use" districts, each with its appropriate standards and regulations.

The text of a zoning ordinance should meet the following standards so far as practicable:

- (a) Be easily understood.
- (b) Be brief as possible.
- (c) Cover all essential points.
- (d) Be specific.

The map (Chart 2) shows the location of all the townships which had either adopted or defeated rural zoning up to January 1, 1960. In some of the unshaded areas zoning is being considered but has not yet reached the election stage. In these areas, as well as in the shaded townships, zoning may be in effect under municipal rule within some of the corporation limits.

CHART 2  
RURAL ZONING IN OHIO, JANUARY 1, 1960





Unless a text and map can be easily understood, the zoning plan may not have the necessary support of people voting on it. Brevity adds to the ease of understanding the entire document. On the other hand, important details should not be sacrificed in order to shorten the text. Administration is made easier if details are spelled out and defined.

The organization of zoning ordinances is quite varied. No one sequence of presenting topics is necessarily the best in all cases. With minor variations, however, most zoning texts are organized into 20 to 25 main sections with as many subsections as are deemed necessary to identify details. The following outline illustrates the main topics presented in most rural zoning ordinances when not more than four kinds of "use" districts are involved.

Section I - Title

Section II - Purpose

Section III - Definitions

(Many zoning texts do not adequately define the meaning of terms used. This leaves the door open for future disputes.)

Section IV - Establishment of "Use" Districts

(In this section, the various kinds of use districts are named and their boundaries identified by reference to the zoning map. Examples: Agricultural ("A"), Residence ("R"), Business ("B"), and Industrial ("I") Districts.)

Section V to VIII -

(A separate section for each kind of "use" district identifies the permitted uses of land and buildings and sets forth the tract, building, space and other regulations and standards applying in each district or zone.)

## Section IX - Prohibited Uses

(Some ordinances list these specifically. Others provide only a general prohibition of any use involving certain objectionable features. Some ordinances provide safeguards by regulation and provisions for planning to avoid disturbance instead of prohibition.)

## Section X - Management of Nonconforming Uses

(The state law protects established nonconforming uses but directs local rules be provided in respect to completion of structures, expansion, reconstruction and substitution.)

## Section XI - Supplementary Regulations

(Examples: Parking and loading facilities, outdoor advertising, trailer parks.)

## Section XII to \_\_\_\_ - Administration

(Usually 8 to 10 sections will be devoted to administration, enforcement, powers and duties of board or zoning appeals, zoning commission and other "housekeeping" details.)

### Who Prepares the Zoning Ordinances?

Officially, preparation of the zoning resolution is the responsibility of a county or township zoning commission. But the zoning enabling law also provides ways to get expert assistance. First, assistants can be employed and paid out of funds if such are provided by the county board of commissioners or township trustees. Second, when a county or regional planning commission exists in an area, the law directs that it shall prepare the zoning text and maps for a county zoning commission and that a township zoning commission may request such help. This raises the question: To what extent is expert assistance needed and used in developing zoning plans?

Urban-industrial developments involve complex problems which justify the employment of someone professionally trained to work on community planning and zoning. A few populous townships have engaged such professional assistance to prepare a zoning plan. The staffs of various county and regional planning commissions have provided expert assistance in the preparation of both county and township plans for rural zoning in numerous instances.

On the other hand, many rural townships have proceeded in response to a felt need for rural zoning although public opinion (and finances) would not support the expenditure of much money to do the work. In two-thirds of Ohio's counties, no county or regional planning commission has been available to help. Under the above circumstances it may be expected that future rural zoning ordinances often will be "homemade" products.

In several instances, county prosecuting attorneys have provided substantial assistance to township zoning commissions in drafting ordinances, although such work goes beyond the attorney's official responsibility to a township. Although extremely important, good legal construction is only one requirement of a satisfactory zoning ordinance. The basic purpose of zoning is to help promote sound community development.

Local people make policy for their community. Policies affecting use of resources for economic and social development should be based on factual information. The facts local people need in shaping policies may need to be gathered, organized, and interpreted by experts.

As previously mentioned, most rural zoning in Ohio has been designed

under township administration. This has the possible advantage (as compared with county administration) of encouraging more local citizens to take some part in developing the plan of zoning. On the other hand, many problems of community change and development cut across township and even county lines. This calls for cooperation and coordination -- formal or informal -- over a relatively wide area in order to develop consistent policies and standards. County and regional planning commissions can function to provide coordination when zoning is under either county or township administration.

Cost. -- The median cost of preparing and adopting township zoning ordinances in 24 cases reporting the exact amount was 215 dollars; the expenditure of public funds ranged from zero to over 5000 dollars. A few rural townships spent no public money. "The hat was passed" for voluntary contributions to obtain the \$40 to \$50 needed to pay for advertising, hearings and printing. The township zoning commission drafted the ordinance and prepared the zoning map, the latter usually being a plat map secured from the county engineer.

In a few instances, an attorney was employed to draft the ordinance at a cost ranging up to a few hundred dollars, depending on the amount of work and other circumstances.

Where a professional planning consultant was employed, the cost likewise varied with circumstances; the cost for a township ranging from a few hundred to more than five thousand dollars. The latter figure applied to a populous suburban area.

It may be observed that the highest of these costs is relatively small as compared with the value of real estate influenced by zoning. Although some zoning commissions are to be commended for the resolutions

drawn up by local citizens without professional assistance, if zoning is needed the cost of careful preparation for it is money well spent.

The foregoing refers to zoning under township administration. Under county administration, the cost, at least in part, usually has been merged with planning commission activities.

#### How Many Kinds of Use Districts?

The guiding principles in establishing use districts or zones are: (a) to avoid mixing incompatible land uses and (b) to achieve the best use of all the land in a community. Let us consider the number and kind of use districts provided in actual zoning ordinances.

In a sample of 80 Ohio rural zoning ordinances covered by this study, those designed for county administration provide for from one to 16 different kinds of use districts; township ordinances covered about the same range, one to 15 use districts. This wide variation may be partially explained by differences in the amount of direction particular areas have chosen to give community developments. The degree of urbanization and industrialization, present or anticipated, in the various areas is another factor.

A township adjacent to a city may establish several kinds of residential zones with different sized lots and standards for single, double and multiple unit dwellings. There may also be provision for more than one kind of business district, variously named: neighborhood, community, retail, wholesale, general etc.

Other zones may be designated for various kinds of industry: light industry, heavy industry, industries involving special problems.

Still other districts may be given names more or less descriptive of some special use, problem or limitation. Examples are: recreational camp district, special conversion district, conservation district, valley district, flood plain district, quarry district, industrial reserve district, unrestricted district and water reservoir district.

In contrast to the preceding detailed districting, in some relatively rural townships where farming will remain the dominant land use in the foreseeable future, the plans zoning commissions have developed usually provide for only one to four kinds of use districts. Of the 80 plans studied, nearly two-thirds provide for no more than three kinds of use districts.

Number of Use Districts	Number of Cases
One	8
Two	16
Three	27
Four	10
Five to seven	12
Eight or more	7
Total	80

Next, let us consider some features of zoning plans based on these different numbers of "use" districts.

#### One-District Zoning

Three variations of one-district zoning are being used in Ohio as found in this sample. In all three situations, the entire area (township or county) is declared to be one zone. From that point on the plans differ:

- (1) Under one plan, the permitted uses are agriculture, residences (single family in some cases, double family also in others), professional offices in dwellings, home industries,

community facilities and institutions and the usual accessory uses such as roadside stands. The above plan is designed to maintain the open country type of community, particularly if large lots are required for nonfarm dwellings. A principal objective of this type of one-district zoning is to prevent the establishing of objectionable land uses. In some situations, the above type of plan might be considered as a stop-gap measure to prevent the establishment of objectionable uses (likely to be nonconforming) while a more comprehensive plan is being prepared.

- (2) In a second type of one-district zoning, agriculture, dwellings, business and industry are permitted to intermingle. Some objectionable uses may be prohibited; others - such as use of trailers for dwellings, and advertising, may be regulated. An additional function of this plan is to provide standards such as minimum size of tract, of dwelling, and set-back lines. In reality, this plan omits all control based on division of land into use districts but can establish all the usual standards which apply within a use district.
- (3) A third one-district plan names agriculture and dwellings as general permitted uses but holds commercial and industrial uses subject to special permit in respect to location and conditions of operation. This latter plan relies heavily on

administrative determination of matters which, under the enabling law, are usually decided by a vote of the people when zoning is adopted.

Of the above three variations in one-district zoning, number one (1) is the most positive and definite; numbers two (2) and three (3) contain more elements of compromise and legal uncertainty.

#### Two-District Zoning

A typical two-district plan of zoning provides for residential ("R") districts and business-commercial ("B") districts. Usually both single family and double family dwellings are permitted in the "R" district on tracts large enough to allow private systems of water supply and sewage disposal (typically 1.5 acres down to about 0.5 acre minimum sized tract -- occasionally smaller).

Land uses allowed in the "B" districts vary widely from one plan to another. Some allow only for the usual retail trade and service type of businesses plus any use allowed in an "R" district. Some allow for any "lawful" type of commercial or industrial business with named exceptions subject to board of zoning appeals' approval; a few also require approval by the board of township trustees following recommendation by the zoning commission.

The typical two-district zoning plan usually recites the state law which allows agriculture to be carried on in any district or zone. Therefore, since the cumulative plan of zoning is followed in all these cases, "R" districts allow for dwellings and agriculture, "B" districts for business uses, dwellings and agriculture, plus the usual public and quasi-public uses customary in rural communities.



Two-district plans are suitable for rural areas where the foreseeable and planned-for nonfarm land use developments are limited to scattered dwellings, to the community service type of commercial businesses and to public services. As indicated, in some cases, the two-district plans make provision for some industrial uses; this may or may not represent a compromise. Some "light" industries are not incompatible neighbors to residential or commercial business areas, particularly if adequate space requirements are observed. Other industrial uses involve such matters as traffic, noise, odors, dust, hazards of fire or explosion, unsightly appearance, etc. Industry, also to some degree, needs protection from the encroachments of other land uses, something which the cumulative type of zoning fails to do.

#### Three-District Zoning

The typical three-district zoning plan provides for residential ("R"), business ("B"), and industrial ("I") zones. Typically, the "R" and "B" zones will allow about the same scope of uses as have been discussed under two-district plans. The three-district plans, however, designate some area or areas as industrial zones. This might be an area already having an industry or one with industrial potential because of access to a railroad, highway, adequate water supply or raw materials.

Usually much more area is zoned for industry and business than will be so used for many years. Is this a mistake? There are pros and cons to consider. Zoning a small area for industry, for instance, may give a few property owners a virtual monopoly and prospective users too few

alternatives as to location. Zoning a large area for industry may hamper developments therein for residential and business because disturbing uses may become neighbors. These are matters human judgment must decide in each community. Our inability to forecast very far into the future is one good reason that zoning plans are subject to revision.

Most three-district zoning plans are fully cumulative. The most restricted "R" districts are zoned for dwellings and agriculture, "B" districts for business, dwellings and agriculture, and "I" districts for industry, business, dwellings and agriculture. Out of 27 three-district plans which have been studied, only one establishes an exclusive industrial district. In that case, certain other uses can be established in the "I" district only if approved by the board of zoning appeals.

#### Four-District Zoning Plans

Four-district zoning plans present a number of variations. Ten such cases designated use districts as follows:

- 5 ordinances -- agricultural, residential, business and industrial.
- 2 ordinances -- two classes of residential districts with different standards, a business, and an industrial district.
- 2 ordinances -- residential, two kinds of business districts (general and limited commercial), and industrial.
- 1 ordinance -- residential, business, and two industrial districts divided as to light or heavy industry.

#### More Than Four Kinds of Use Districts

Zoning plans providing for five or more kinds of use districts consist of a further subclassification of different kinds of residential,

business, and industrial districts and for several descriptions of special districts. In nearly all districts, a considerable number of land uses are permitted, partly because numerous activities are not conflicting and partly because nearly all rural zoning in Ohio is cumulative rather than exclusive.

#### "Exclusive" Vs. "Cumulative" Districts

Two alternative courses of policy or some combination of them are followed in creating use districts. (1) "Exclusive" districts may be established for certain principal types of use: agriculture, residence, business, industry, etc. (2) As an alternative, a series of districts are established in which the degree of restriction varies with the class of district. In other words, the restrictions are "cumulative." Customarily, when the "cumulative" plan of districts is used, residential districts are the most restricted, being reserved for dwellings and other uses which will not conflict with or disturb a residential area. Business districts are less restricted, also allowing all uses permitted in a residential district. "Industrial" districts are least restricted, also allowing all uses permitted in both business and residential districts. In a few instances, an "unrestricted" district is added to the list permitting all the above uses plus others which have objectionable features.

#### Agricultural Districts

According to the State Rural Zoning Enabling Act, agriculture is a permitted use in any district or zone. The majority of the rural zoning ordinances observed in this study recite or refer to this provision of

the state law and do not set up any use districts specifically labeled "Agricultural." A few designate the more rural areas as "Farm Residence Districts" (or "Rural Residence") which for zoning purposes can be considered the same as "Agricultural."

About one-fourth of the zoning ordinances contain some provision which tends to identify when a tract will be considered a farm or not a farm. The following is a typical wording: "In Agricultural Districts, all parcels of land less than five (5) acres in area, and having more than seventy (70%) of their area used for purposes other than agricultural, and all lots less than one and one-half (1 1/2) acres shall be classed as residential."

In addition to farming, principal permitted uses in the "Agricultural District" usually include single family dwellings, churches, schools, noncommercial recreational facilities, wildlife preserves, and the other uses and facilities incidental to a rural community. Other conditional uses may be allowed if authorized by the board of zoning appeals.

No Ohio rural zoning ordinance has been encountered which specifically prohibits building a nonfarm home in a farm area. Numerous ordinances, however, limit the construction of such homes to lots containing a minimum of one-half acre, one acre, or more.

Rural zoning in Ohio to date is not being used as a tool to establish "exclusive" agricultural districts. The following quotation from a proposed county zoning ordinance fairly states the policy expressed or implied in a number of cases where the regulations provide for an agricultural use district:

"A-1 Agricultural District

Purpose:

The purpose of this article is to provide and reserve in \_\_\_\_\_ County substantial areas best adapted to and needed for agriculture. Closely related to this purpose is the need for confining nonagricultural and generally more intensive types of land uses to urban areas where public services can be provided for them efficiently and economically. While certain non-agricultural activities have become customary in agricultural areas and now must be permitted to remain there and to expand as the public need requires, it is the further purpose of this article to exercise reasonable but effective controls over such uses in order to accomplish the primary purposes set forth in the first two sentences of this section."

Farm residences subject to zoning. -- Most rural zoning ordinances specifically state that farm residences are subject to all the standards specified for residences. A few ordinances exempt farm residences the same as other farm structures from the requirement that a zoning certificate be obtained before construction. In other cases, all new farm structures are to conform to the set-back from highways and property lines although no zoning certificate is required before construction.

Management of Objectionable Uses

There is a strong inclination in rural zoning to dispose of objectionable industries and land uses by absolute prohibition. More than half (47 out of 80) of the zoning ordinances which have been studied

do so. Reasons for prohibition usually given are because of odor, dust, gas, smoke, vibration, noise, danger of explosion and fire, unsightly appearance, air and water pollution or some other disturbing condition or hazard. Most of these objections relate to industries, but prohibitions also frequently include mental hospitals, correctional institutions and the like.

Some ordinances recite most or all of the above reasons and prohibit all uses which have one or more such objectionable characteristics. Other ordinances are more specific, naming the prohibited industries and uses. This list, in a few cases, ranges up to 20 or more prohibited uses. It frequently includes dumps, junk yards, trailer courts, commercial air fields, commercial amusement parks, breweries, bulk gas stations with above ground storage tanks, manufacture of chemicals, manufacture and storage of explosives, commercial slaughter houses, glue factories, and crematories. A few ordinances (8) do not mention prohibited uses. Still fewer (4) are not specific but mention the prohibition of "noxious" trades, industries, etc.

In 20 ordinances, certain uses (from 2 to 71) are listed as objectionable but instead of absolute prohibition they are allowed by approval of the board of zoning appeals (in some instances, approval by the board of township trustees is also required). This feature, control by the board of zoning appeals, has the advantage of providing for various useful activities which are objectionable only because they may require special consideration in respect to space, structure, location, and conditions of operation in order to avoid the objectionable features.

### Management of Nonconforming Uses

Under Ohio rural zoning enabling law, any lawful use of buildings or land existing at the time zoning is adopted can be continued indefinitely although the use does not conform to the zoning regulations. The enabling law provides that if a nonconforming use is voluntarily discontinued for two years, any future use of the property must conform.

The state law further specifies that a zoning resolution shall provide for the completion, restoration, reconstruction, extension or substitution of nonconforming uses on reasonable terms.

Examination of 80 zoning resolutions revealed some cases entirely silent in respect to nonconforming uses, some with partial and some with full coverage of the points mentioned in the preceding paragraph. The following itemization indicates how these matters were handled;

(1) Time for completion when construction started before zoning (or amendment) is adopted:

Six months (1 case)  
One year (37 cases)  
Two years (1 case)  
No time limit (3 cases)  
No provision mentioned (38 cases)

(2) Restoration or reconstruction if damaged:

a. Time limit for repairs:

Six months (1 case)	No time limit (2 cases)
One year (11 cases)	No provision (38 cases)
Two years (28 cases)	

b. No reconstruction if damage exceeds:

80 percent (1 case)	50 percent (3 cases)
75 percent (7 cases)	No provision (63 cases)
60 percent (6 cases)	

(In one case, reconstruction allows expansion up to 150 percent of the size of the damaged structure. In two cases, the terms of reconstruction are subject to board of zoning appeals' approval.)

(3) Amount of expansion permitted for a nonconforming use:

50 percent (9 cases)	15 percent (1 case)
35 percent (1 case)	10 percent (5 cases)
33 percent (1 case)	No expansion (16 cases)
25 percent (16 cases)	No provision (29 cases)
20 percent (2 cases)	

(4) Substitution of other nonconforming use:

Can substitute use of same class (3 cases)

Can substitute more restricted use (40 cases)

No substitution allowed (4 cases)

Substitution subject to board of zoning appeals' approval (3 cases)

No provision mentioned (30 cases)

The state law specifies that future uses must conform if a nonconforming use is abandoned for two years. At least two zoning resolutions have attempted to shorten this period by stating that discontinuing a use for one year shall be deemed abandonment. Two other ordinances provide a 60-day grace period (after ordinance is adopted) in which to secure a nonconformance certificate. If this is not secured, the right to continue the nonconforming use is forfeited.



### Outdoor Advertising Signs and Billboards

For zoning control purposes, advertising can be put in two categories:

(a) Signs related to the business conducted on the premises or otherwise relating to the premises and (b) large billboards generally advertising something not related to the premises.

Out of 80 cases, 73 rural zoning ordinances contain some special provision in respect to advertising. Let us consider signs first.

#### Signs

Most zoning ordinances require no zoning certificate for small signs relating to the premises where they are located. Zoning ordinances differ widely in the permitted size of "small" signs. In residential districts, it is fairly typical to limit signs advertising professional services or home industries to two square feet, tourist home signs to four square feet, and signs advertising the property, for sale or rent, to from 10 to 50 square feet. Signs permitted for other purposes in residential districts usually range within the above size limits.

#### Billboards

The Ohio rural zoning enabling law classifies outdoor advertising as a business use which "shall be permitted in all districts zoned for industry, business, trade or lands used for agricultural purposes." The majority of zoning ordinances prescribe that billboards have the same set-back from highways as other structures; a few name a lesser distance such as 10 or 15 feet from the right-of-way of roads and streets and may also limit the size to 100 square feet or less unless authorized by a zoning certificate.

Other important phases of control deal with illumination and minimum distance of billboards from road intersections. Out of 35 ordinances covering the point, one prohibits billboards closer than 250 feet to road intersections, 19 set this minimum distance at 150 feet, 13 at 100 feet and two at 50 feet. In 33 cases, the ordinances specify that illuminated signs must be shaded so as not to interfere with the vision of persons on the highway or annoy neighbors. In a few cases (5), illuminated signs which duplicate the colors used in traffic control signals are prohibited within some minimum distance (usually 100 feet) of a road intersection.

#### Trailers and Trailer Parks

The expanding use of house trailers has become a matter of concern in many rural communities. Individual house trailers may be moved in and used as temporary, semi-permanent or permanent residences. The location of these often has been haphazard in many respects. Some are located adjacent to an existing dwelling and use the same facilities for electricity, water, and sanitation. Some may be on separate building lots and occupied while a dwelling is being constructed. Some may, to all intents and purposes, be permanent isolated dwellings. Some may be only temporary visitors. Frequently, trailer parks have been established with substandard provisions for water supply and sanitation. The establishment of a trailer park may also suddenly create problems for all community services and institutions unprepared to service a sudden increase in population without a parallel increase in the tax base. In consideration of the above problems, most rural zoning ordinances contain some regulation of the use of single trailers and location and facilities of trailer parks.

### Single Trailers

Several ordinances place some time limit on the parking of a trailer used as a residence by a temporary visitor. The most usual limit is 30 days (10 cases), but in one ordinance, the limit is 15 days, in two -- three months, and in one -- six months.

Five ordinances provide that in case of an emergency a trailer can be used as a residence for one year. About half, 43 cases out of 80 observed, provide for such use while a permanent residence is being built. The length of permitted occupancy while building ranges from six months (7 cases) to two years (7 cases), the most frequent period being one year (13 cases). In four other cases, temporary use of a trailer while building is subject to board of zoning appeals' approval. In most cases, a zoning certificate is required when a trailer is used as a residence, but some ordinances are not specific on this point. A few cases allow for the permanent use of a trailer as a residence on the standard size of building lot, and a few make special provision for use of trailers parked on farms and occupied by a farmer or to house farm labor, particularly seasonal labor.

### Trailer Parks

In about two-thirds of the ordinances studied (52 out of 80), trailer parks either are specifically prohibited in all districts or are in no way mentioned as a permitted use in any district.

The other third of the zoning ordinances makes some provision for "Trailer Courts" (or "Trailer Parks"). A common provision (14 cases) is that trailer parks meet all standards and requirements of the local health district and the Ohio Department of Health. A few ordinances

designate the minimum ground area for each trailer (examples: 25' X 40', 30' X 60'); one specifies five acres as the minimum area for a trailer park.

As a general rule, trailer parks are classed as a business use allowed only in "B" and "I" districts. This is not universal; a few ordinances allow for trailer parks in any district subject to board of zoning appeals' approval. Two allow the operation of a trailer park, for transients only, in the agricultural district with a minimum distance of 200 feet from any "R" district. Another allows their location in "A," "B," and "I" districts but forbids them in the "R" district.

Four ordinances establish a special trailer park district (or temporary residence district). These four provide detailed standards to safeguard the safety, health, and convenience of trailer occupants, including set-back requirements from highways and adjacent property. Control over these matters is provided by the issuance of an annual permit to the trailer park operator.

#### Quarrying and Mining

In respect to the extraction of minerals, zoning is being used to perform three functions:

- (a) Avoid encroachment of other land uses which will hamper the extraction of the mineral resource.
- (b) Place some kind of control over the operations to avoid hazards and disturbance in the use of adjacent lands.
- (c) Assure reclamation of the mined-out area so far as practicable.

Only a minority (14 out of 80 cases) of rural zoning ordinances contain special provisions on quarrying and mining. This may be partly because relatively little zoning has been adopted in areas where mining is a major industry. On the other hand, every Ohio county has some resource of stone, gravel, sand, clay, coal, or other mineral deposit. A few counties and townships, therefore, widely distributed over the state have given some attention to quarrying and mining in their zoning ordinances.

#### Building-Tract Regulations and Other Standards

One important phase of zoning is the division of an area into "Use Districts", which has been discussed. Another phase is the kind of regulations or standards applying to land, buildings and other structures within each kind of use district. In respect to this latter phase, the state enabling law directs: "All such regulations shall be uniform for each class or kind of building or other structure or use throughout any district or zone, but the regulations in one district or zone may differ from those in other districts or zones."

Under the above grant of authority, practically all rural zoning ordinances establish standards in respect to most of the following items:

1. Minimum size of tract which can be utilized for specific uses.
2. Minimum frontage on highways and streets.
3. Minimum set-back of building lines from highways and streets.
4. Minimum width of side yards.
5. Minimum depth of rear yard.
6. Maximum height of buildings.

7. Access to rear houses.
8. Clear-view standards.
9. Yards on corner lots.
10. Minimum size of new dwellings.
11. Percentage of lot area which can be occupied by buildings.

Individual zoning ordinances vary substantially in their treatment of the above items. As the following description indicates, certain standards are used more frequently than others:

Minimum Size of Tract Considered a Farm

A majority of rural zoning ordinances does not define the minimum size of farm. Some do, to better identify those tracts that are considered agricultural properties for zoning purposes as indicated by the following figures:

5 acres	12 cases	1 acre	1 case
3 acres	2 cases	No. minimum mentioned	<u>64</u> cases
2 acres	1 case	Total	80 cases

Minimum Size of Residential Lot

The following figures apply to the size of the most rural (largest minimum) residential tracts provided in the various zoning ordinances. In some instances, these would be in an "Agricultural Use District" and in others, a "Residence" (or "Rural Residence") district.

1.5 acres	1 case	10-12750 sq. ft.	7 cases
Approximately 1 acre (range of 40-45000 square feet)	14 cases	5-8250 sq. ft.	4 cases
		No minimum named	<u>6</u> cases
30-32000 sq. ft.	8 cases	Total	80 cases
20-22000 sq. ft.	31 cases		
15-16000 sq. ft.	9 cases		

In a few instances, the minimum lot size specified is rather large to maintain the open-country type of community. More frequently the minimum size is determined as being the smallest tract approved by the health district when each household must provide its own water supply and sewage disposal. Under favorable soil conditions, 20,000 square feet are the usual minimum standard. Under unfavorable soil drainage conditions, larger lots are necessary.

In a few instances, some relatively rural townships allow residential building on very small lots. This may be practicable only so long as such tracts remain scattered.

A few ordinances do not specify the minimum size of lot. Instead, they may rely on control by specifying a minimum lot frontage and depth of front and rear yards--items considered next.

Minimum Frontage for Single Family Dwelling

The following list is an indication of the wide variation in space standards established by local rural zoning ordinances. More than half establish 100 feet as the minimum frontage which, with 200 feet of depth, would provide 20,000 square feet of land area, the minimum allowed under many health district standards.

200 feet	2 cases	75 feet	6 cases
160 feet	1 case	65 feet	1 case
150 feet	8 cases	60 feet	1 case
125 feet	2 cases	50 feet	3 cases
100 feet	39 cases	No specific minimum	<u>13</u> cases
90 feet	1 case	Total	80 cases
80 feet	3 cases		

Set-Back of Buildings

Some ordinances vary the set-back of buildings with the type of highway. For example: State and federal roads, 50 feet; county roads, 40 feet; and township roads, 35 feet. The following represents the maximum set-back required by the various ordinances in residential districts:

80 feet	1 case	35 feet	3 cases
70 feet	6 cases	30 feet (or governed by health code)	7 cases
60 feet	6 cases	20 feet	1 case
50 feet	40 cases	Not given	<u>1</u> case
45 feet	3 cases	Total	80 cases
40 feet	12 cases		

The above figures represent the set-back from the right-of-way line. In some instances, the measurement is from the center of the road in which case 25 to 30 feet are usually added to the set-back distance as designated above.

Side Yards (Residential Districts)

Frequently there are two minimums, one the minimum for one side yard, the other for the sum of both sides.

The minimum for one side yard:

30 feet	2 cases	7 feet	2 cases
25 feet	5 cases	5 feet	11 cases
20 feet	13 cases	No minimum on one side	1 case
15 feet	12 cases	Not mentioned	<u>1</u> case
12 feet	1 case	Total	80 cases
10 feet	32 cases		



Two of the above cases contain an additional provision which allows some flexibility; one provides the minimum to be 10 percent of the lot width up to 15 feet and the other, 15 percent of the lot width up to 15 feet.

The minimum width for both side yards:

60 feet	2 cases	22 feet	1 case
50 feet	5 cases	20 feet	24 cases
40 feet	14 cases	15 feet	2 cases
30 feet	18 cases	10 feet	8 cases
25 feet	3 cases	Minimum not mentioned	<u>1</u> case
24 feet	2 cases	Total	80 cases

How wide should side yards be in residential areas? In most locations, at least one side should be wide enough for a driveway. It is desirable that both sides have space for light, air and to reduce fire hazards from adjacent property. Also, space assures more freedom from disturbances arising from adjacent property. The above figures indicate much variation in the width of side yards, particular ordinances specifying as much as 30 feet to no minimum on one side and from 60 feet to 8 feet for both sides. The ordinances studied concentrate around two widths of side yard. One group provides fairly ample space of 30 to 40 feet total for both sides and half that distance as a minimum on one side. The other group economizes on space, the sum of the two side yards being 20 feet with the minimum on one side being 10 feet. A smaller number establishes 10 and 5 foot minimums which are approaching the same potential intensity of land use found in residential areas of cities.

#### Minimum Depth of Rear Yards (Residential Districts)

As with side yards, the specifications as to rear yards found in rural zoning ordinances tend to concentrate around more than one size:

(a) A relatively large rear yard, 30 to 50 feet deep and (b) a relatively small rear yard, 10 to 15 feet deep. The following figures show these details more specifically:

50 feet	10 cases	15 feet	16 cases
40 feet	2 cases	10 feet	11 cases
30 feet	11 cases	5 feet	6 cases
25 feet	3 cases	25% of lot depth	1 case
24 feet	4 cases	None specified	<u>13</u> cases
20 feet	3 cases	Total	80 cases

Height of Buildings

Two general reasons exist for limiting the height of buildings.

(a) In closely settled areas, satisfactory access to light and air can be assured by some maximum limit on height. (b) In all areas, it is desirable to keep height within the effective reach of available fire fighting equipment. Other reasons may exist--for instance, structures in the approach areas around air fields.

Only a minority (26 out of 80) of the rural zoning ordinances studied place any kind of control on the height of buildings. Control relates to residential buildings most frequently (26 cases), less frequently to business buildings (21 cases), and least often to industrial structures (13 cases). The following indicates the maximum building height found in these ordinances:

	Dwellings	Business	Industrial
25 feet or 2 stories	1 case	2 cases	0
30 feet or 2.5 stories	3 cases	2 cases	0
35 feet or 2.5 stories	18 cases	8 cases	1 case
40 feet or 3 stories	2 cases	2 cases	1 case
45 feet or 3 stories	1 case	5 cases	3 cases
50 feet, no stories mentioned	0	0	3 cases
55 feet or 3 stories	1 case	0	0
60 feet, no stories mentioned	0	0	1 case
Other regulation	0	2 cases	4 cases
Height not regulated	<u>54</u> cases	<u>59</u> cases	<u>67</u> cases
Total	80 cases	80 cases	80 cases

A few ordinances place no one limit on height of business or industrial buildings but specify that for every one foot increase in height above some specified limit, the set-back from adjacent properties and highway or street will be increased. This ratio usually is 1:1 or 1:2 in particular cases. In one instance, industrial structures over 100 feet high are permitted if approved by the board of zoning appeals.

Ordinances usually place no height limit on public buildings and allow exceptions for industries and uses where more height is ordinarily involved, such as grain elevators, church spires, farm structures, etc.

#### Rear Houses

About one-fourth of the rural zoning ordinances have some regulation in respect to houses located in the rear of another house or houses and not fronting on any established public street or highway.

The most frequent provision is that at least a 20-foot easement be provided to give access to the rear house and that such easement be separate from the dimensions of any adjacent lot subject to zoning regulations. In the case of two or more rear houses, the usual minimum easement is 40 feet, but some specify 50 or 60 feet. In one case, only

one rear house is permitted. As a rule, rear houses must conform to the lot area, set-back, and other standards which ordinarily prevail for houses fronting on a public highway or street.

Corner Lots

Over half (45 of 80) of the rural zoning ordinances studied contain some rules on the location of buildings on corner lots. The most frequent provision is that the dwelling on a corner lot must conform to the set-back of dwellings on internal lots located on the side street or road, as well as on the public way on which it fronts. Some ordinances, however, establish a minimum set-back ranging from 20 to 50 feet with the further provision that it conform as nearly as possible to the set-back on internal lots on the side street. Other ordinances have some modification of these provisions as indicated below:

Must conform to set-back on internal lots	17 cases
20' minimum s.b., conform so far as possible	12 cases
25' minimum s.b., conform so far as possible	6 cases
30' minimum s.b., conform so far as possible	2 cases
50' minimum s.b., conform so far as possible	2 cases
No minimum, conform so far as possible	2 cases
10' minimum	1 case
50 percent of standard set-back	4 cases
20 percent of lot width	2 cases
25 percent of lot width	1 case
Set-back less than standard but indefinite	1 case
No mention of corner lots	<u>30</u> cases
Total	80 cases

Clear View on Corners

Twelve ordinances contain some provision to assure a clear view at road and street intersections. This intention is carried out by keeping obstructions to clear view, such as hedges, shrubbery and fences, some stated distance back from the intersecting lines of right-of-way on the corner. Ordinances vary in the minimum requirements as follows:

No obstruction within 20 feet of corner	2 cases
No obstruction within 25 feet of corner	1 case
Obstruction 3.5 high, no closer than 8 feet	1 case
Obstruction 3.0 (one, 2.5 feet) high, no closer than 25 feet	3 cases
Obstruction 3.0 high, no closer than 50 feet	4 cases
Fences, walls and hedges must have same set-back as main building	1 case
Clear view not mentioned	<u>68</u> cases
Total	80 cases

Particular ordinances contain additional details. For instance, one specifies that landscape features provide a clear view line between 2.5 and 6 feet above the curb level, except for poles, posts and tree trunks within 25 feet of an intersection.

Minimum Size Dwellings

Most rural zoning ordinances place some minimum size limit on new dwellings. Regulations vary in how this space is defined. The general rule is to indicate the minimum square footage which must be provided on the first floor for living quarters. In some instances, there may be a minimum for one-story houses (650 to 750 square feet is typical) and a smaller first floor minimum for two-story houses (440 square feet is typical) and a still smaller minimum for apartments.

Some ordinances provide for more than one class of residential use district, each with a different minimum size of dwelling. When more than one minimum was provided, the following figures apply only to the largest size dwelling (most restricted district) designated in the zoning plan.

Minimum first floor space, single family dwelling (because of the many small variations some cases are grouped in size classes):

1200 square feet	1 case	600-699 square feet	24 cases
1000 square feet	2 cases	500-599 square feet	7 cases
900 square feet	2 cases	No minimum stated	<u>9</u> cases
800-899 square feet	9 cases	Total	80 cases
700-799 square feet	26 cases		

Building -Tract Regulations in Business and  
Industrial Districts

Frontage

Relatively few rural zoning ordinances establish a minimum frontage for business or industrial uses. The necessary or desirable space requirements vary with the type of enterprise. On the other hand, in open country areas with no public water supply and sewer service, there may be reason to apply the same minimum building-tract regulations to business and industrial uses as to dwellings. In five instances, a 100-foot frontage is specified for business uses the same as for dwellings; in one case, 60 feet; in another, 40 feet. In 73 other cases, no minimum frontage is mentioned.

Set-back from Roads and Streets (Business and Industrial)

Nearly all ordinances providing business and industrial districts specify a minimum set-back, the most frequent being 50 feet but ranging from 75 down to 20 feet for commercial businesses and from 100 to 25 feet for industrial uses.

Side Yards

Only a minority of the zoning regulations (17 cases) specify side yards for commercial uses. These range from five to 20 feet on one side and 10 to 30 feet for the sum of the two sides, about the same range as for dwellings. Twenty-one ordinances specify side yards ranging from five to 100 feet for industrial districts. A few ordinances specify a side yard of 25 to 200 feet when an industrial use adjoins a residential district.

Rear Yards

About one-third (27 cases) of the ordinances specify a rear yard for commercial uses. The depth ranges from five to 40 feet.

No rear yard is required in several industrial districts in case the structure is adjacent to a railroad, and 22 ordinances require no rear yard in any case. In 34 other instances, a rear yard is required, ranging from five to 150 feet in depth.

Building Coverage of Lot Area (Residential, Business and Industrial)

Only 11 out of 80 rural zoning ordinances specify any restriction on the proportion of lot area that can be covered by buildings. In relatively rural situations, this is no problem. In congested areas, such restrictions are an appropriate method to control density of population and intensity of land use.

One ordinance specifies that only 10 percent of the ground area can be occupied by a residence, accessory buildings not included. Another ordinance specifies that "buildings, including accessory buildings, shall not cover more than fifty (50%) percent of the area of any lot." Another specifies that coverage will be limited to 35 percent for residential, 100 percent for business and 90 percent for industrial buildings. Another allows coverage in a residential district of 45 percent on a corner lot and 40 percent in an internal lot and 90 percent in a business or industrial district. Another limits coverage to 25 percent in any district.

The above illustrates the extensive variations in standards in respect to the permitted ratio of building coverage of land area. Of the 11 cases, no two were alike.

#### Parking Facilities

Fifty-five ordinances contain provisions to assure off-road or off-street parking space. In most instances, the provisions relate to parking space to service residential and business uses and less frequently (10 in 80 cases) industrial uses. For "B" and "I" uses, another common requirement is off-street space for loading and unloading vehicles.

In respect to dwellings, the most frequent standard is off-road or off-street parking space for at least one vehicle per family unit. Usually 200 square feet are prescribed, but this standard varies from 180 up to 250 square feet. A few ordinances require parking space for two vehicles per dwelling.



Need for parking space varies with the kind of business use. A common standard is 200 square feet of parking area for (a) each 100 square feet of first floor area of a retail business establishment or for (b) each 4 seats in a theater, auditorium or other place of assembly with the further provision that the parking area be within convenient distance of the main entrance, 400 feet for example.

A few ordinances direct that industrial establishments provide adequate parking space for employees. Some are more specific, naming a standard parking space of one vehicle for each 2 employees on the largest work shift.

Most ordinances mentioning roadside stands direct that off-road parking space be provided for customers. A few ordinances contain detailed provisions on parking space requirements for the various uses where it may be a problem.

#### Zoning Permits

Compliance with zoning regulations is effected by a system of permits and inspections. The usual intent is to charge enough for permits to defray the expense of a zoning inspector who may be paid a salary or fee established by the board of county commissioners or township trustees.

The permit fees charged are usually established by the zoning ordinance. In a few cases, they are set by the board of township trustees (or county commissioners) and subject to change as that board may see fit. Some fees are nominal and would not support a very thorough system of inspection. Some ordinances, when first adopted, may establish inspection fees too low to cover costs.

Fee schedules are far from standardized both in the amount charged for the same kind of permit and in the number of things for which permits are required.

The following are two extremes:

Township #1

Zoning certificate (new buildings or alterations)	\$1.00
Application for variance	15.00

Township #2

Zoning certificate, new construction (residential)	10.00
Zoning certificate, new construction (business)	25.00
Zoning certificate, new construction (industrial)	50.00
Zoning certificate, new construction (billboard)	5.00
Permit to park trailer in township	.50
Additions or alterations to buildings over \$250	3.00
Additions or alterations to buildings over \$500	10.00

Some ordinances provide a sliding scale of fees based on cost of new construction, alterations or enlargements. An example:

<u>Value of Construction</u>	<u>Fee</u>
To and including \$1000	\$3.00 minimum
Each additional \$1000 up to and including \$15000	.50 per \$1000
Each additional \$1000 up to and including \$50000	.25 per \$1000
Each additional \$1000 exceeding \$50000	.10 per \$1000

Closing Statement

In closing, let us regain the perspective which may have been lost in all the details which have been discussed.

The state enabling law directs that rural zoning be done in accordance with a "comprehensive plan." What may pass as a comprehensive plan in the legal sense may be a very inadequate plan from the standpoint of economic and social development. An appraisal of what can be done with zoning and how to go about it is well expressed by the following quotation:<sup>1/</sup>

"Zoning can play a very vital part in the sound growth of every township. The type of use permitted in a particular area may mean the difference between stable and unstable property values. By standing for orderly rather than haphazard building, a township cannot only stabilize its property values, but can also improve its ability to plan for public facilities and services with greater efficiency. Zoning should, therefore, be used as the primary tool for carrying out a township's comprehensive plan for its orderly development. However, zoning which is not based on such a plan is of questionable value. The 'by guess and by gosh' method of zoning has in many cases done more to harm than to help. It may provide, for example, too much business area in the township, thus hurting future business interests and denying use of the land for residential or other purposes. A zoning resolution and/or map hastily thrown together to freeze conditions in the status-quo is a poor substitute for the real job that zoning can do. To do the job, however, zoning must be based on a solid foundation of facts. It must have substantiating evidence, in the form of a completed comprehensive or master plan, to justify its regulations and districts."

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<sup>1/</sup> Township Zoning Law and Procedures, 1957, Tri-County Regional Planning Commission of Akron; an area that has been working with rural zoning for more than ten years.

### Summary

This is a study of rural zoning ordinances as designed by and for Ohio communities. It includes information on the expanding use of zoning and on the nature of the regulations being adopted. The point is emphasized that zoning is an expression of local policy in respect to community development.

General policies are primarily indicated by the kind of "use" districts which are established. A sample of 80 ordinances revealed individual cases providing from one to 16 different kinds of use districts. Usually in the more rural situations, not more than four kinds of use districts were designated--often three or less.

In practically all cases, the allowed uses were cumulative--residential districts being the most restricted, business-commercial also allowing and residences, industrial districts also allowing business-commercial uses and residences. A few ordinances establish "exclusive" industrial districts--a policy of actively promoting development by full protection of areas particularly adapted to industrial uses.

State law allows agriculture in any district, but this does not preclude reasonable local rules to avoid disturbance to other uses. About one case in four defines a minimum tract which will be considered a farm.

The majority of ordinances provide absolute prohibition of uses (mostly industrial) with objectionable features. The minority approach this problem more constructively by allowing most uses when control of objectionable features is provided.

State law allows established nonconforming uses to be continued undisturbed. The law also directs that local ordinances provide rules for

the completion, restoration, reconstruction, extension or substitution of nonconforming uses on reasonable terms. As provided in individual ordinances, these rules differ widely and often are incomplete.

Most ordinances establish regulations on the size and location of billboards and signs. The more important rules relate to maintaining clear view on highways, particularly at intersections. These rules do not conform to any uniform standard.

Two-thirds of the ordinances studied prohibit trailer parks; the remainder establish standards for layout and facilities and designate permitted locations. About half the ordinances provide limitations on the use of single trailers for temporary or permanent residences.

Building-tract regulations are an important part of zoning. They establish uniform standards within each district but may differ from one district to another. All zoning ordinances studied contain rules relating to most or all of the following items: minimum size of tract which can be utilized for specific uses, frontage on highways and streets, set-back of building lines from highways and streets, width of side yards, minimum depth of rear yard, maximum height of buildings, access to rear houses, clear-view standards, yards on corner lots, minimum size of new dwellings, and percentage of lot area which can be occupied by buildings.

Individual ordinances vary substantially in the standards applying to the above items. In general, some are designed to maintain the open country pattern of land use. The majority establish minimum space standards which allow an intensity of land use approaching that of urban areas.

A community adopts zoning by popular vote. The plans people are willing to adopt may be less than ideal, the result of compromise. This study was not designed to pass judgment on the relative merits of the regulations and standards contained in this sample of zoning ordinances. No ideal set of zoning regulations is offered. Conditions vary so much from one area to another that each zoning ordinance should be tailored to fit local circumstances. It is suggested, however, that somewhere within the framework of items discussed and described, ideas will be found for developing a pattern and set of standards which will fit the rural community concerned with creating a zoning plan.

Rural zoning, as now practiced in Ohio, is primarily designed to influence nonagricultural developments. But the use of zoning is expanding to include more relatively rural areas and more lands which will remain in agriculture in the foreseeable future.

In the more rural counties, local people have the opportunity to plan their future community and to use zoning to effectively implement their plans. They can do this without having to be concerned with many of the problems already present in more populous areas. They can thus act now to avoid some of the unnecessary physical and economic disturbance of agriculture and more extensive land uses. This is a phase of planning and zoning which merits more study and understanding.

In the more densely settled and more urban areas, the types and degree of controls needed to implement community goals are more complex. Where such planning is required, it is perhaps better achieved through county or regional planning commissions with resources to employ professional assistance. Here, in addition to zoning, more attention will need to be given to subdivision regulations, building codes, and other tools to implement these plans.